

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE BRANCH

OSCAR MADRIGAL SENCION, an  
individual,

Plaintiff,

vs.

SAXON MORTGAGE SERVICES, INC., a  
business of unknown form; OCWEN LOAN  
SERVICING, LLC, and DOES 1 through  
100, inclusive,

Defendants.

) CASE NO.: 5:10-cv-03108PVT

) Hon: Patricia V. Trumbull

) **STIPULATION AND [PROPOSED]**  
) **ORDER CONTINUING DEADLINE TO**  
) **COMPLETE SETTLEMENT**  
) **CONFERENCE**

1           The parties hereby stipulate as follows and respectfully request that the Court enter the  
2 proposed order set forth below.  
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4           WHEREAS Saxon Mortgage Services, Inc. and Ocwen Loan Servicing, LLC noticed  
5 motions to dismiss the first amended complaint to be heard in August 2010;

6           WHEREAS, the Court ordered that the parties complete a settlement conference with  
7 Magistrate Judge Lloyd by November 19, 2010;

8           WHEREAS the Court has taken the motion to dismiss by Defendant Ocwen Loan  
9 Servicing LLC under submission and has yet to rule on the motion;  
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11           WHEREAS the Court has continued the hearing on the motions to dismiss and to strike  
12 by Saxon Mortgage Services, Inc. to November 30, 2010;

13           WHEREAS Plaintiff moved in September 2010 for leave to add an additional defendant  
14 to this action which hearing on said motion was continued to November 30, 2010;

15           WHEREAS, because of the pending motions to dismiss and Plaintiff's motion for leave  
16 to add the additional defendant, the pleadings are not in place or resolved and the action is not  
17 yet at issue; and  
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19           WHEREAS, for these and other reasons the parties believe a settlement conference by  
20 November 19, 2010 would be premature and unlikely to result in a settlement,  
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1 NOW, THEREFORE, the Parties stipulate and agree as follows:

2 1. The deadline to complete the settlement conference shall be continued from  
3 November 19, 2010 to March 31, 2011 to allow additional time for the court to rule on the  
4 pending motions, for the Plaintiff to serve additional parties in the event the Court grants  
5 Plaintiff leave to do so, and for those parties to appear in the action.  
6

7 IT IS SO STIPULATED.

8 Dated: November 2, 2010

CENTURY LAW GROUP, LLP

9 /s/ Rizza Gonzales

10 Rizza Gonzales

11 Attorneys for Plaintiff

Oscar Madrigal Sencion

12 Dated: November 2, 2010

WOLFE & WYMAN, LLP

13 /s/ Marcus T. Brown

14 Marcus T. Brown

15 Attorneys for Defendant

16 Saxon Mortgage Services, Inc.

17 Dated: November 2, 2010

HOUSER & ALLISON, APC

18 /s/ Brian S. Edwards

19 Eric D. Houser

Brian S. Edwards


20 Attorneys for Defendant

21 Ocwen Loan Servicing, LLC

22 ~~PROPOSED~~ ORDER

23 Based upon the foregoing stipulation and good cause appearing, the Court ORDERS that  
24 the deadline for the parties to complete a settlement conference with Magistrate Judge Lloyd is  
25 hereby CONTINUED to and including March 31, 2011.

26 IT IS SO ORDERED.

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28 Patricia V. Trumbull, Magistrate Judge  
United States District Court, Northern District of  
California

11/5/10